



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

MAY 29 2014

Ref: EPR-N

Kristin Kaiser, District Ranger
Three Rivers Ranger District
12858 US Hwy 2
Troy, MT 59935

Re: Kootenai National Forest Buckhorn Project
Final Environmental Impact Statement
CEQ # 20140130

Dear District Ranger Kaiser:

In accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act (CAA), the U.S. Environmental Protection Agency Region 8 has reviewed the April 17, 2014 Final Environmental Impact Statement (EIS) and Draft Record of Decision (ROD) by the U.S. Forest Service (USFS) for the Kootenai National Forest Buckhorn Project.

Project Description

The purpose of the project is to promote resilient vegetation conditions by managing towards characteristic landscape level vegetation patterns, structure, patch size, and fuel loading and species composition. The District proposes to accomplish this by applying timber harvest and prescribed fire techniques that: promote western white pine, white bark pine and western larch; restore fire's role on the landscape; improve vigor, extent and long-term productivity of huckleberry and other native plants to increase forage availability; provide long-term wildlife security and forage; maintain or improve water quality and native aquatic species habitat; and provide wood products to contribute to local and regional economies.

Comments and Recommendations

Air Quality

In the EPA's March 27, 2014 Draft EIS comment letter, we recommended that the Final EIS include a commitment to directly notify the populated areas close to pending burns through, at a minimum, notices in local newspapers. This is especially important for the residents in nearby communities and the Wildfire Urban Interface area downwind of the burn areas. The EPA

appreciates that in the Final EIS, the USFS clarified that it routinely does this and more by publishing newsletters and maintaining an active list of contacts in burn plans who will be personally contacted in advance of prescribed burning. The EPA also appreciates that the USFS added an explanation of the public notification process to the Burn Plan Design Features (Final EIS Appendix 2).

Surface Water Resources

In the EPA's comments on the Draft EIS, it was noted that the EPA appreciates that the Draft EIS identifies which streams have been listed on the State of Montana's Department of Environmental Quality's Clean Water Act 303(d) Impaired Waters list, and those that have been either removed or determined to be eligible for removal. After researching the current status of streams in and around the proposed action, with the EPA's Montana Office and the Montana Department of Environmental Quality (MDEQ), we note the following. There are no current plans to reassess or delist the sediment-impaired streams near the proposed action. Those streams are Lap Creek, Seventeen Mile Creek, and the South Fork Yaak River. These streams have had Total Maximum Daily Loading (TMDL) assessments completed and are now category 4a waters (at least one use is not supported, and a TMDL has been developed).


Spread Creek, in the proposed project area, has no 303(d) listings, but not all uses have been assessed. Both Meadow Creek and North Fork Meadow Creek, in the proposed project area, are listed as category 3, which means there is insufficient data to assess beneficial use support.

The EPA remains concerned about the current state of use attainability, continued protection of the current relatively pristine state of some streams and water bodies in and around the project area, and continued potential impacts on aquatic resources, primarily due to roads use and management. The Draft and Final EISs state that implementation of some aquatic resource protection and mitigation Best Management Practices (BMPs) are subject to USFS budgeting decisions or potential outside organization funding resource availability. Therefore, the EPA continues to support and recommend the USFS maintain its commitment for demonstrating road reconstruction, decommissioning, storage and new road activities are closely monitored.

The EPA also continues to support the USFS efforts to demonstrate and report that the proposed action's BMPs identified in the Draft EIS, and now in the Final EIS, continue to be implemented and demonstrate that BMPs perform as intended. It is critical that BMPs continue to be documented, as they have been in the past, and are shown to be protective of aquatic resources. In cases where intended BMPs are not funded or carried out, the EPA appreciates that the USFS is committed to recording this and identifying alternative plans and BMPs for mitigating affects on aquatic resources from the proposed action. It is also critical, and the EPA continues to support and recommend that the USFS implement any alternative plans and BMPs to successfully demonstrate and record effective protection of aquatic resources in the project area.

Thank you for addressing our comments on the Draft EIS and the opportunity to respond to the Final EIS and Draft ROD. If we may provide further explanation of our comments, please contact me at 303-312-6704. You may also contact Nat Miullo, lead reviewer for this project, at 303-312-6233, or miullo.nat@epa.gov.

Sincerely,

for 

Philip S. Strobel

Acting Director, NEPA Compliance and Review Program
Office of Ecosystem Protection and Remediation

